

**AGENDA MEMO**

**CITY COUNCIL MEETING OF: OCTOBER 7, 2009**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: RQR-35268 - APPLICANT: CLEAR CHANNEL OUTDOOR -  
OWNER: W M C III ASSOCIATES, LLC**

---

**\*\* CONDITIONS \*\***

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

**Planning and Development**

1. Conformance to the conditions of Rezoning (Z-0100-97).
2. All required building permits shall be obtained, fees paid, and final inspections approved within 30 days of final action.
3. This Special Use Permit shall be reviewed in three (3) years at which time the City Council may require that the Off-Premise Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Sign be removed.
4. The Off-Premise Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign.
5. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Sign.
6. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
7. The Off-Premise Sign shall be removed upon the commencement of any new development on this site.
8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Required Review of a previously approved Rezoning (Z-0100-97) which allowed five existing Off-Premise Signs on property bounded by U.S. 95, I-15 and Grand Central Parkway. If this request is denied, the subject signs must be removed.

**ISSUES**

- Staff can not support the request as final inspections were not completed for two of the five signs (Signs A & D), and the building permits have expired; therefore, staff is recommending denial of the request. If approved, a condition has been added which will require all required building permits to be obtained, fees paid, and final inspections approved within 30 days of final action.

**BACKGROUND INFORMATION**

| <i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i> |   |
|--|---|
| 11/23/98   | The City Council approved a Rezoning (Z-0100-97) to PD (Planned Development) for this site as part of an action on a 222-acre site including the subject site. The approval allowed 13 existing Off-Premise Signs to remain.  |
| 02/07/01   | The City Council approved a Required Review [Z-0100-97(2)] of 13 existing Off-Premise Signs on the larger site including the subject parcel. The Planning Commission and staff had recommended approval of the request.   |
| 05/16/01   | The City Council approved a Site Development Plan Review [Z-0100-97(3)] for a proposed 1,000,000 square foot commercial development (Furniture Mart) on approximately 36.11 acres at the northwest corner of the intersection of Bonneville Avenue and Grand Central Parkway. The Planning Commission and staff both recommended approval of the development. |
| 04/03/02   | The City Council approved a Required Review [Z-0100-97(7)] of 12 existing Off-Premise Signs on a larger site including the subject parcel, subject to a one-year review. The Planning Commission recommended approval of the request.   |
| 05/21/03   | The City Council approved a Required Review (RQR-1974) of twelve Off-Premise Signs on a larger site including the subject parcel. Planning Commission and staff recommended approval.   |
| 10/06/04   | The City Council approved a request for a Site Development Plan Review (SDR-4841) for a 345,670 square foot temporary exhibit space on the subject site. Staff and the Planning Commission both recommended approval of the request.  |

|          |   |
|----------|---|
| 04/20/05 | The City Council approved a Required Review (RQR-5683) of eight Off-Premise Signs on a larger site including the subject parcels. Planning Commission and staff recommended approval.   |
| 04/20/05 | The City Council approved a Required Review (RQR-6003) of one Off-Premise Sign on one of the subject parcels. Planning Commission and staff recommended approval.   |
| 05/18/05 | The City Council approved a Review of Condition (ROC-6466) and (ROC-6467) to allow the required landscaping to be installed in phases and to change the location of a required trail.   |
| 06/15/05 | The City Council approved a Master Sign Plan (MSP-6344) for signage of the World Market Center. The Planning Commission recommended approval.   |
| 07/06/05 | The City Council approved a Site Development Plan Review (SDR-6593) for a 1,619,219 square foot Phase II commercial center. The Parkway Center Architecture Review Committee (PC-ARC) recommended approval.   |
| 01/12/06 | The Planning Commission approved a Site Development Plan Review (SDR-10427) for a four-level, 2,175 space parking garage.   |
| 06/07/06 | The City Council approved a Site Development Plan Review (SDR-12636) for a 2,097,925 square foot Phase III commercial building. The Planning Commission recommended approval of the application.  |
| 06/07/06 | The City Council approved a Review of Condition (ROC-13357) to remove a condition that required that the Off-Premise Signs on the subject site be removed prior to the issuance of a Certificate of Occupancy for the Phase II building. Signs "B" and "C" were still required to be removed, all others were required to be reviewed at later dates. Staff recommended denial.   |
| 06/07/06 | The City Council approved a Required Review (RQR-11403) of eight Off-Premise Signs on a larger site including the subject parcels. This approval required the removal of Signs "B" on APN 139-33-610-014 and "C" on APN 139-33-511-005 to be removed within 60 days. Further, it required Signs "C" and "D" on APN 139-33-511-005 to be removed prior to the issuance of permits for the Phase III parking structure. Planning Commission and staff recommended approval. |
| 06/07/06 | The City Council approved a Required Review (RQR-12065) of one Off-Premise Sign on one of the subject parcels. Planning Commission and staff recommended approval.  |
| 06/07/06 | The City Council approved a Special Use Permit (SUP-12635) for a 305-foot tall building within the North Las Vegas Airport portion of the A-O (Airport Overlay) District on one of the subject parcels. Planning Commission and staff recommended approval.   |
| 09/07/06 | Staff administratively approved a Minor Amendment (SDR-16509) to an approved Site Development Plan Review (SDR-12636) for a reduction in the commercial square footage and revisions to the parking requirements for a commercial development.  |

|   |  |
|---|--|
| 10/18/06  | The City Council approved an amended Master Sign Plan (MSP-15823) to include Phase II of the World Market Center development. Planning Commission and staff recommended approval.  |
| 08/15/07  | The City Council approved a Required Review (RQR-21496) of one Off-Premise Sign on one of the subject parcels. A condition of approval requires that the sign be removed prior to the issuance of building permits for any new development on the site. Planning Commission and staff recommended approval.  |
| 09/05/07  | The City Council approved a Required Review (RQR-21345) of multiple Off-Premise Signs on property bounded by U.S. 95, I-15 and Grand Central Parkway. The Planning Commission recommended approval of the request.   |
| 10/17/07  | The City Council approved a request for a Site Development Plan Review (SDR-23606) for a proposed 2,495,091 square-foot commercial center with a Waiver of Downtown Centennial Plan build-to-line standards to allow a 206-foot front setback and the expansion of an approved parking garage located adjacent to the southwest corner of Grand Central Parkway and Discovery Drive, and a 2,306 space temporary parking lot located adjacent to the northwest corner of Grand Central Parkway and Discovery Drive. The Planning Commission recommended approval of the request. |
| 03/18/09  | The City Council approved a request for a Street Name Change (SNC-32359) from Discovery Drive to Symphony Park Avenue between Martin Luther King Boulevard and Grand Central Parkway. The Planning Commission recommended approval of the request.   |
| 09/10/09  | The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #8/jb).  |
| <b><i>Related Building Permits/Business Licenses</i></b>        |  |
| 04/29/99  | A building permit (#99008210) was issued for "Sign A" at 413 South Grand Central Parkway. The permit expired on 10/30/99. A final inspection was not conducted.  |
| 04/29/99  | A building permit (#99008202) was issued for "Sign D" at 1399 Discovery Drive. The permit expired on 10/30/99. A final inspection was not conducted.   |
| 04/29/99  | A building permit (#99008206) was issued for "Sign E" at 157 South Grand Central Parkway. A final inspection was conducted on 01/11/00.  |
| 04/29/99  | A building permit (#99008205) was issued for "Sign F" at 13 South Grand Central Parkway. A final inspection was conducted on 01/10/00.   |
| 04/29/99  | A building permit (#99008204) was issued for "Sign G" 11 South F Street. A final inspection was conducted on 01/10/00.   |
| <b><i>Pre-Application Meeting</i></b>                           |  |
| A pre-application meeting is not required for this application. |  |
| <b><i>Neighborhood Meeting</i></b>                              |  |
| A neighborhood meeting is not required for this application.    |  |
| <b><i>Field Check</i></b>                                       |  |
| 08/06/09  | During a routine site inspection, staff observed a well maintained Off-Premise Sign.   |

| <i>Details of Application Request</i> |       |
|---------------------------------------|-------|
| <i>Site Area</i>                      |       |
| Gross Acres                           | 17.97 |

| Surrounding Property | Existing Land Use  | Planned Land Use         | Existing Zoning          |
|----------------------|--|--------------------------|--------------------------|
| Subject Property     | Wholesale Showroom Facility [World Market Center (under construction)] | MXU (Downtown Mixed-Use) | PD (Planned Development) |
| North                | ROW (US 95)  | ROW (US 95)              | ROW (US 95)              |
| South                | Shopping Center  | MXU (Mixed-Use)          | PD (Planned Development) |
| East                 | Undeveloped (Symphony Park)  | MXU (Mixed-Use)          | PD (Planned Development) |
| West                 | ROW (I-15)   | ROW (I-15)               | ROW (I-15)               |

| <i>Special Districts/Zones</i>                    | <i>Yes</i> | <i>No</i> | <i>Compliance</i> |
|---|------------|-----------|-------------------|
| <b>Special Area Plan</b>                          |            |           |                   |
| Downtown Centennial Plan (Parkway Center)         | X          |           | Y                 |
| PD (Planned Development) District                 | X          |           | Y                 |
| Redevelopment Plan Area                           | X          |           | Y                 |
| <b>Special Districts/Zones</b>                    | <b>Yes</b> | <b>No</b> | <b>Compliance</b> |
| <b>Special Purpose and Overlay Districts</b>      |            |           |                   |
| PD (Planned Development) District                 | X          |           | Y                 |
| Downtown Overlay District                         | X          |           | Y                 |
| A-O (Airport Overlay) District (175-foot)         | X          |           | Y                 |
| Downtown Casino Overlay District                  | X          |           | Y                 |
| <b>Trails</b>                                     |            | X         | N/A               |
| <b>Rural Preservation Overlay District</b>        |            | X         | N/A               |
| <b>Development Impact Notification Assessment</b> |            | X         | N/A               |
| <b>Project of Regional Significance</b>           |            | X         | N/A               |

## DEVELOPMENT STANDARDS

| Standards           | Code Requirement   | Provided   | Compliance |
|---------------------|--|--|------------|
| Location            | No Off-Premise Sign may be located within public right-of-way  | Sign is not located within a public right of-way or the Off-Premise Sign Exclusionary Zone                     | Y          |
| Zoning              | Off-Premise Signs are permitted in C-1, C-2, C-M, and M zoning districts only  | All signs are located within a PD (Planned Development) zoning district  | Y*         |
| Area                | No Off-Premise Sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet. | All signs are 672 square feet  | Y          |
| Height              | No higher than 40 feet from grade at the point of construction: may be raised to a maximum of 55 feet with approval of the City Council if significantly obscured from view of travel lanes.   | The signs range from a height of 55 feet to 80 Feet tall   | Y*         |
| Screening           | All structural elements of an Off-Premise Sign to which the display panels are attached shall be screened from view.   | The structural screening of the Off-Premise Signs does not require repainting to match the structural supports | Y          |
| Distance Separation | At least 750 feet to another Off-Premise Sign along US-95 or at least 300 feet to another Off-premise Sign (if not along US-95)  | One sign is located 450 feet from another Off-Premise Sign along I-95  | Y*         |
|                     | At least 300 feet to the nearest property line of a lot in any "R" or U" zoned districts.  | There are no "R" or "U" zoned districts within 300 feet  | Y          |

|       |   |  |    |
|-------|---|--|----|
| Other | All Off-Premise Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes. | The billboard is permanently secured to the ground on PD zoned property. | Y* |
|-------|---|--|----|

\* Per approved Rezoning (Z-0100-97)

## **ANALYSIS**

This is the eighth review of a previously approved Rezoning (Z-0100-97) which allowed existing Off-Premise Signs to remain on property bounded by U.S. 95, I-15 and Grand Central Parkway. There are currently six signs remaining on the subject site, of which five are part of this review. During a field check of the site, staff found the signs and supporting structures in good condition. There has been no significant change in development or land use since the previous Required Review (RQR-21345). The subject Off-Premise Signs have been issued building permits; however Signs A and D, as designated on the site plan, do not have approved final inspections. Therefore, staff is recommending denial of the subject Required Review.

## **FINDINGS**

Though the area surrounding the signs has not experienced any significant development or land use changes since the previous review, Signs A and D have not received a final building inspection; therefore, staff is recommending denial.

## **PLANNING COMMISSION ACTION**

Delete condition #2.

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

N/A

**ASSEMBLY DISTRICT** N/A

**SENATE DISTRICT** N/A

**NOTICES MAILED** 59 by City Clerk

**APPROVALS** 1

**PROTESTS** 1